

2026:PHHC:033609



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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-11057-2026

Sukhmaan Singh @ Kaka

....Petitioner

versus

State of Punjab

....Respondent

Date of Decision: March 05, 2026

Date of Uploading: March 05, 2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Manminderjit Singh, Advocate for the petitioner.

Mr. Adhiraj Singh Thind, AAG Punjab.

SUMEET GOEL, J. (Oral)

Present second petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter to be referred as 'the BNSS') for grant of pre-arrest/anticipatory bail to the petitioner, in case bearing FIR No.257 dated 12.11.2025, registered for the offences punishable under Sections 111, 333, 115(2), 351(3), 304, 3 (5) of the BNS Act, 2023 (earlier Sections 452, 323, 506(2), 379-B and 34 of IPC), at Police Station Sadar Faridkot, District Faridkot. The earlier plea for grant of anticipatory bail was dismissed as withdrawn, vide order dated 23.02.2026, with liberty to file afresh on the same cause of action after disclosing complete antecedents of the petitioner.

2. The gravamen of the allegations against the petitioner is that on 11.11.2025, in the evening, when the complainant along with his son Sukhraj Singh, Mahikpreet Singh, and Harmeet Singh was present at his house, Nirmal Singh alias Nimma, armed with an iron rod, Jagbir Singh alias Kali, armed with a *kirpan*, and Sumandeep Singh (*petitioner herein*), armed with a *dang*, forcibly pushed open the door and entered the house. After entering, Nirmal Singh alias Nimma raised a *lalkara*, stating that since the complainant had lodged a complaint against them at the police station, they would teach him a lesson. Thereafter, all of them started beating the complainant and his companions.

During the occurrence, Nirmal Singh alias Nimma snatched the complainant's wallet from his pocket. The wallet contained Indian currency amounting to ₹2,000, along with his Aadhaar Card and PAN Card. When the complainant and others raised an alarm, all the assailants fled from the spot along with their weapons and the stolen wallet, while extending threats to kill them. The complainant further alleged that Nirmal Singh alias Nimma already has several criminal cases registered against him. He has formed a gang and acts as a kingpin involved in incidents of robbery and snatching in the area, and such offences are repeatedly being committed under his leadership.

3. Learned counsel for the petitioner has iterated that a bare perusal of the FIR itself shows that allegations leveled against the petitioner are concocted, improbable and devoid of any merit. Learned counsel has further iterated that the petitioner has been falsely implicated into the FIR in question due to some party fraction in the village, and the petitioner has nothing to do with the crime in question. Learned counsel has further

iterated that there is an unexplained delay of 01 day in lodging the FIR in question. Learned counsel has further argued that, in fact, the petitioner himself had suffered injuries and was admitted in the hospital, therefore, in order to save his own skin, the complainant had got the present FIR, falsely, registered against the petitioner based on a concocted, false and afterthought story. Learned counsel has iterated that there is not even an iota of evidence available with the prosecution to show complicity of the petitioner in the offence in question.

3.1. Learned counsel asserts that the police have not conducted a fair and impartial investigation and the inquiry conducted so far is not only incomplete, but also tainted with bias. Learned counsel has asserted that nothing is to be recovered from the petitioner. Moreover, the custodial interrogation should not be used as a punitive measure and is justified only when absolutely necessary for the recovery of material evidence. Furthermore, the petitioner is ready to join the investigation and, hence, no useful purpose would be served by sending him behind the bars. On the aforesaid submissions, the grant of anticipatory bail is entreated for.

4. *Per contra*, learned State counsel has opposed the grant of anticipatory bail to the petitioner by arguing that the offence committed by the petitioner is serious in nature. Learned State counsel has iterated that there are specific and direct allegations against the petitioner. The complainant has specifically named the petitioner alongwith his co-accused of giving grave and serious injuries to the complainant with their respective weapons. Learned State counsel has also argued that the petitioner has no clean antecedents and he is involved in other FIR(s). Given the severity of the offence and no clean antecedents, there exists a substantial likelihood

that the petitioner may abscond or tamper with the evidence, if he is enlarged on bail. Learned State counsel has iterated that the custodial interrogation of the petitioner is imperative for the purpose of effective and fair investigation and to unearth the case of the prosecution. On these submissions, dismissal of the present petition is entreated for.

5. I have heard the learned counsel for the rival parties and have gone through the available record of the case.

6. As per the prosecution case, indubitably, grave and serious allegations have been levelled against the petitioner. As per the version put forth by the prosecution, complainant – Paramjit Singh has clearly stated that the accused persons, namely Nirmal Singh alias Nimma, Sukhmaan Singh alias Kaka (*petitioner herein*), Jagbir Singh alias Kali and Sumandeep Singh, arrived at the complainant's agricultural field armed with deadly weapons including an iron rod, *kappa*, *kirpan* and *dang*, and intentionally assaulted the complainant and his companions. The accused persons not only caused injuries but also extended threats to kill them, thereby creating terror and disturbance. The presence of the accused persons at the spot and their active participation in the occurrence has been specifically attributed in the complaint, which clearly establishes their involvement in the commission of the offence.

6.1. That the conduct of the accused persons, *prima facie*, demonstrates their criminal intent and audacity as later on the same day, during the evening hours, they forcibly entered the complainant's house after pushing open the door and again attacked the complainant and his family members. At that time, accused Nirmal Singh alias Nimma raised a *lalkara* stating that since the complainant had approached the police station with a

complaint, they would teach him a lesson. Such acts clearly reveal that the accused persons acted in furtherance of their common intention and deliberately targeted the complainant to intimidate and harm him.

That during the said occurrence, accused Nirmal Singh alias Nimma also snatched the wallet of the complainant containing Indian currency amounting to ₹2,000 along with important identity documents including Aadhaar Card and PAN Card. The act of forcibly entering the house and committing snatching while threatening the complainant further, *prima facie*, aggravates the seriousness of the offence and reflects the criminal mindset of the accused persons. The complainant had also alleged that co-accused, namely, Nirmal Singh alias Nimma is a habitual offender and several criminal cases have already been registered against him. He has formed a gang and acts as a kingpin involved in incidents of robbery and snatching in the area, and such offences are repeatedly being committed under his leadership.

7. Indubitably, the petitioner has no clean antecedents as he is stated to have been involved in other FIR(s).

8. The petitioner has been specifically named in the FIR, and the nature of the injuries attributed to him is serious reflecting the severity of the alleged act. No cause *nay* plausible cause has been shown, at this stage, from which it can be deciphered that the petitioner has been falsely implicated into the present FIR.

9. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to

the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It is imperative that every person in the Society can expect an atmosphere free from foreboding & fear of any transgression. At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioner. The material which has come on record and preliminary investigation, appear to be established a reasonable basis for the accusations. Thus, it is not appropriate to grant anticipatory bail to the petitioner, as it would necessarily cause impediment in effective investigation. In *State v. Anil Sharma* [*State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039*], the Supreme Court held as under : (SCC p. 189, para 6)

“6. We find force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third-degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders.”

9.1. In view of the seriousness of the allegations, the role attributed to the petitioner and his co-accused while armed with deadly weapons, carrying a violent attack upon the complainant-side and also snatching valuables of the petitioner alongwith some cash amount, this Court finds no compelling ground to extend the benefit of discretionary relief to the petitioner. Granting bail, at this stage, would not only undermine the administration of justice but may also embolden the accused and pose a threat to the safety and well-being of the victim and other witnesses.

In view of the gravity of the allegations, the specific role attributed to the petitioner, the serious nature of injuries sustained by the complainant and others and the necessity of custodial interrogation for a fair and thorough investigation, this Court is of the considered opinion that the petitioner does not deserve the concession of anticipatory bail in the factual matrix of the case in hand. Moreover, custodial interrogation of the petitioner is necessary for an effective investigation & to unravel the truth. The petition is, thus, devoid of merits and is hereby **dismissed**.

10. Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

11. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

March 05, 2026

mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No